



RIETH-RILEY CONSTRUCTION Co., Inc.

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December 31, 2013

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Grace Co, Enforcement Specialist
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard (SE-5J)
Chicago, Illinois 60604-3590

**RE: Rieth-Riley Construction Co.
Response to U.S. EPA CERCLA 104(e) Information Request
Received on December 6, 2013**

Dear Ms. Co:

This letter (and the attachment) provides the response of Rieth-Riley Construction Co., Inc. ("Rieth-Riley") to the above-referenced requests. We are submitting these responses for EPA receipt by January 3, 2014, within the thirty day deadline set out in the request. Note that the timeframe to respond is relatively short, and we reserve our right to amend this response, if necessary. Note also that Rieth-Riley does not intend to produce any documents that are subject to the attorney-client or attorney work product privileges or that are irrelevant, and this response should not be construed as a waiver of any privileges or immunities.

By way of background, Rieth-Riley has never conducted operations within the boundaries of the Lusher Street site Groundwater Contamination site ("Lusher Street Site"). Attachment A shows the properties controlled by Rieth-Riley in this area. Parcel No. 20-05-13-201-001.000-001 is a location where Rieth-Riley conducts operations. It is not within the boundaries of the Lusher Street site. Rieth-Riley also owns a sliver of property, Parcel No. 20-05-13-226-025.000-001, which comes close to the boundaries of the Lusher Street site, but is not within those boundaries. Further, there have been no industrial or other operations on this parcel and it has remained basically as an untouched, unused, grass-covered parcel. Based on these geographical realities, Rieth-Riley believes it has no responsibility for the Lusher Street Site, and further, it has no information responsive to the requests.

Based on this context, Rieth-Riley responds to the above-referenced requests as follows:

- 1. State the dates during which you or your company have owned, operated, or leased a facility or any part thereof located within the boundaries of the site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g. including but not limited to purchase and sale agreements, deeds, leases, etc.).*

Response No. 1: None.

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2. *Did you or any other person or entity ever use, purchase, store, treat, dispose, transport or otherwise handle any material containing chlorinated solvents, including but not limited to, trichloroethylene (TCE); trichloroethane (1,1,1-TCA); dichloroethene (trans 1,2-DCE; cis-1,2-DCE; or 1, 1-DCE) or tetrachlorethylene (PCE) at a facility within the boundaries of the site? If the answer to this question is anything but an unqualified "no," with respect to each facility identify:*
- a) the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material;*
 - b) who supplied the material;*
 - c) how, when, and where the material was used, purchased, generated, stored, treated, transported, disposed of or otherwise handled;*
 - d) the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled;*
 - e) all supervisory personnel for areas where chlorinated solvents were identified above. For each person identified, indicate the years during which they were a supervisor and, to the best of your knowledge and belief, their duties and responsibilities.*

Response No. 2: No. Rieth-Riley never used, purchased, stored, treated, disposed, transported, or otherwise handled these materials within the boundaries of the site.

3. *Identify all past and present solid waste management units (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) at each facility you or your company have owned, operated, or leased within the boundaries of the site. For each such solid waste management unit, provide the following information:*
- a) A map which shows the unit's boundaries and the location of all known solid waste management units, whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units;*
 - b) the type of unit (e.g., storage area, landfill, waste pile, etc.) and the dimensions of the unit;*
 - c) the dates that the unit was in use;*
 - d) the purpose and past usage of the unit (e.g., storage, spill containment, etc.);*

- e) *the quantity and types of materials (hazardous substances and any other chemicals) located in each unit;*
- f) *the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit; and*
- g) *if unit is no longer in use, describe how the unit was closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit.*

Response No. 3: None.

- 4. *Identify all leaks, spills, or releases into the environment of any chlorinated solvents or materials containing chlorinated solvents that have occurred at or from any facility you or your company have owned, operated, or leased within the boundaries of the site. In addition, identify:*
 - a) *when, where, and how such leaks, spills or releases occurred;*
 - b) *the amount of each leak, spill or release;*
 - c) *activities undertaken in response to each such leak, spill or release, including the notification of any agencies or governmental units;*
 - d) *investigations of the circumstances, nature, extent or location of each leak, spill or release, including the results of any soil, water (ground and surface), or air testing undertaken; and*
 - e) *all persons with information relating to these leaks, spills or releases.*

Response No. 4: None.

- 5. *Provide copies of all local, state, and federal environmental permits ever granted for any facility (or any part thereof) you or your company have owned, operated, or leased within the boundaries of the site (e.g., RCRA permits, NPDES permits, etc.).*

Response No. 5: None.

- 6. *Identify any persons or entities, other than those responding to this information request that may have information about the history, use, purchase, storage, treatment, disposal, transportation or handling of any materials containing chlorinated solvents at any facilities in the area identified as the Lusher Street Ground Water site.*

Response No. 6: Rieth-Riley has no specific knowledge about any persons or entities that would have information about chlorinated solvents at the site. It reserves its right to amend this response if further information becomes known.


7. *To the extent you believe that another person, including any previous property owner, is responsible for any leaks, spills or releases into the environment of any chlorinated solvents or materials containing chlorinated solvents at or from any facility you or your company have owned, operated, or leased within the boundaries of the site, identify:*
- a) the name and address of that person or persons;*
 - b) when, where, and how such leaks, spills or releases occurred;*
 - c) the amount of each leak, spill or release; and*
 - d) the detailed basis for your belief that each such person is responsible for leaks, spills or releases, including any transactional documents, reports, or other documentation supporting your belief.*

Response No. 7: Not applicable. Rieth-Riley has not owned, operated, or leased any facility within the boundaries of the site.

Certification

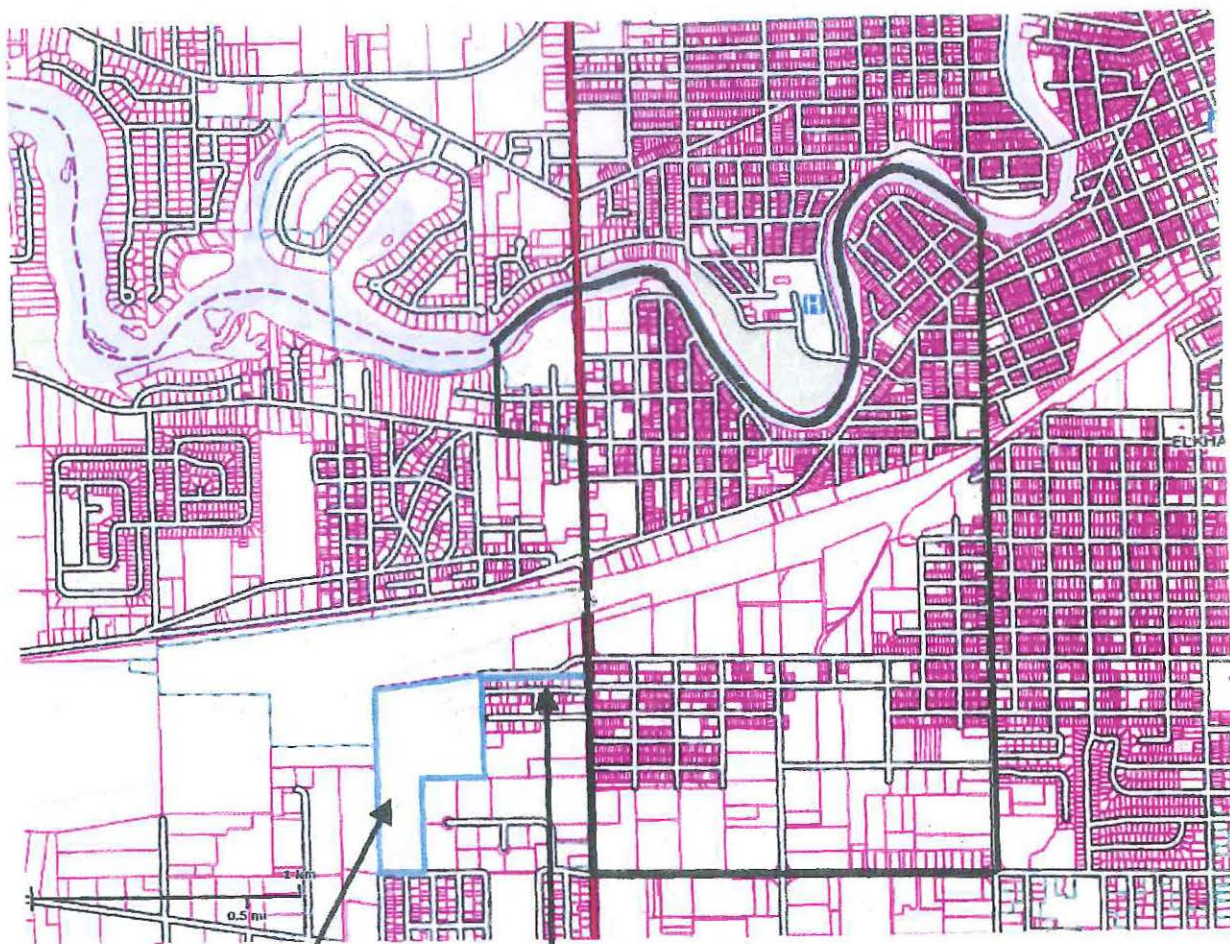
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information.

Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false statements, including the possibility of fine or imprisonment for knowing violations.



A. Keith Rose
President/CEO
Rieth-Riley Construction Co., Inc.

Parcels Owned by Rieth-Riley Construction Co., Inc .



Parcel 20-05-13-201-001.000-001

Parcel 20-05-13-226-025.000-001



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